

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

Daniel Simoes  
Plaintiff

V.

CA05-147S

Jo Anne B. Barnhart,  
Commissioner, Social Security  
Administration  
Defendant

**ORDER**

The Report and Recommendation of United States Magistrate Judge David L. Martin filed on December 12, 2006 in the above-captioned matter is accepted pursuant to Title 28 United States Code § 636 (b) (1). No objection having been filed, the Defendant's Motion to Affirm is denied and that this matter be remanded to the Commission for a new hearing.

BY ORDER:

  
DEPUTY CLERK

ENTER:

  
WILLIAM E. SMITH  
U.S. DISTRICT JUDGE

DATE: 1/3/07